

EXHIBIT 11



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www.nyc.gov/culture

KATE D. LEVIN
Commissioner

October 4, 2007

The Honorable Barbara S. Jones
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Dear Judge Jones,

We have been made aware of the pending litigation, Fitzgerald, et al v. Thompson, et al, Case Number: '07 CIV 6851. In connection therewith, the City of New York, as owners of the land upon which the Seventh Regiment Armory (the "Armory") is located, reaffirms its support of the legislation (Chapter 482 of the New York State Laws of 2004; the "Legislation") and the restoration and redevelopment of the Armory by the Seventh Regiment Armory Conservancy, Inc. as set forth in the General Project Plan ("GPP") adopted by the Empire State Development Corporation (the "Project"), both of which are being challenged by said litigation.

Of significant value to the City, the Legislation and Project provide for the continued and uninterrupted operation of the much needed homeless shelter for women located in the Armory. The City also supports the Project as it will provide much needed restoration and redevelopment of this unique cultural asset and allow for robust public access to the Armory as a not-for-profit cultural arts center for the visual and performing arts.

Accordingly, the City is in support of the Project moving forward as set forth in the GPP.

Very truly yours,

A handwritten signature in black ink, appearing to read "K. Levin", written over the typed name and title.

Kate D. Levin
Commissioner

cc: Jeffrey Friedlander
Leonard Wasserman

EXHIBIT 12

The

University of the Education



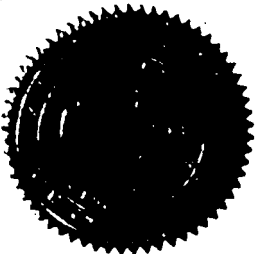
State of New York Department

Absolute Charter of 107th Infantry Regiment (Seventh New York) Historical Society

This instrument witnesses that the Board of Regents for and on behalf of the Education

Department of the State of New York has granted this absolute charter

1. Incorporating George X. Baggett, E. Emory Baggett, Walter A. Captain, Joseph A. Cox, D. Randolph Martin, George F. Martin, Bertram C. Miller and Leslie M. Stewart, and their associates and successors as its educational corporation under the laws of the State of New York.
2. The purpose of which such corporation is to be formed as follows:
 - a. To collect, receive and preserve books, papers, documents, diaries, letters, records, citations, battle streamers, flags, medals, decorations and other mementoes pertaining to the Seventh Regiment, New York National Guard.
 - b. To maintain a museum and library for the use and custody thereof.
 - c. To assist in maintaining the historical continuity of this distinguished Regiment, regardless of changes in military organization in peace and war.
 - d. To provide an opportunity for the individual soldier to become familiar with the history and traditions of the Seventh Regiment.
 - e. To maintain records of members of said Regiment, and to publish the results of such research.
 - f. To direct or conduct research into the history of the Seventh Regiment, and to publish the results of such research.
3. George X. Baggett, E. Emory Baggett, Walter A. Captain, Joseph A. Cox, D. Randolph Martin, George F. Martin, Bertram C. Miller and Leslie M. Stewart, shall constitute the first board of trustees. The board shall have power to adopt bylaws, including their own articles of incorporation, and the terms of office of trustees, and shall have power also by vote of two thirds of all the members of the board of trustees, to change the number of trustees to not more than 25 nor less than 5.
4. The corporation hereby created shall be a separate corporation organized and operated exclusively for educational purposes and no part of its earnings or net income shall inure to the benefit of any individual, and no officer, member, or employee of the corporation shall receive or be entitled to receive any pecuniary profit from the operation thereof, except reasonable compensation for services rendered.
5. The principal office of the corporation is to be located in the city, county and State of New York.
6. The Commissioner of Education is designated as the representative of the corporation when same are in any court or proceeding against it may be served.



John H. C. Smith
Chairman

Granted October 23, 1904

by the Board of Regents

for and on behalf of the State Education Department

and recorded therein. Number 5746

James C. Allen
Secretary of the Board of Regents
and Commissioner of Education

EXHIBIT 13

New Armory Initiative Presentation on May 30, 2007

On May 30th, 50 members of the Armory Community and other concerned individuals gathered at the home of Nancy and Joe Missett for a presentation of alternative plans for the use of the historic structure as a military museum and the legal strategy and community actions necessary to accomplish this objective.

The legal strategy was outlined by public interest attorneys Whitney North Seymour, Esq., and Gabriel N. Seymour, Esq.. Historian Thomas Fleming spoke about the critical need for a museum commemorating and honoring the historic and present role of the citizen/soldier represented by the National Guard. Mr. Seymour and host Joe Missett addressed the issue of community support through the establishment of a Steering Committee, which would engage actively in strategy development, decision-making, and negotiations, as the process moves forward, and for financial contributions to fund legal expenses and the cost of engaging public relations experts.

The salient points are set forth below:

The Assignment/Mission

- To stop the improper takeover of the Armory and the inappropriate use of the premises planned by the Conservancy
- To halt the threat to existing cultural institutions posed by the plans for a performing arts center at the Armory that would siphon off audiences and financial support
- To find a way to preserve the historic structure and to protect the residential character of the surrounding neighborhood

The Legal Strategy

- To bring a case in Federal Court, where there are remedies that do not exist elsewhere in the court system, to accomplish the following:
 - To pry open the legally unsound and unfair plan that seized the building and turned it over via a 99-year Lease to the Conservancy, a group that has developed perhaps well-intentioned but ultimately misguided plans for the Armory as long as 20 years ago.
 - To gain control of the funds already raised by the Conservancy or designated by the State of New York and hand them over to a Special

Master under court supervision for administration for appropriate care of the Armory.

- To propose a new concept for the Armory's use: the establishment of a Military Museum in the Park Avenue Head House to honor citizen soldiers past and present. (*Note: The current antique shows and other attendance diffuse events would continue to take place in the Drill Shed to generate revenue to support the proposed museum and maintenance of the historic structure.*)

Mr. Seymour pointed out that it is impossible to successfully "fight something with nothing" and that it is critical that the suit propose an alternative use for the Armory that is beneficial to the building and neighborhood. This use must be more appropriate than the cultural center idea, which, as the media coverage to date as well as the reaction of many individuals have shown, is an idea well-received by those who do not know the underlying details and who have not given extensive thought to its implications and effects. A Military Museum that would respect the Armory building *and* honor the citizen soldiers who have fought on our behalf through the centuries, and continue to do so now, is this "better use" that will direct the "not in my backyard" negativism of previous efforts into a positive plan that should bring broad community support and appeal to the Court, as well.

The Military Museum Plan (Lafayette Freedom Center)

Historian and well-known author Thomas Fleming expanded on Mr. Seymour's remarks, emphasizing the following:

- The need for a museum focusing on the contribution of the Citizen/Soldier that would recount and recreate the experience of those who went through the experience of war
 - Other military museums around the country concentrate on a single event, a particular war, etc.
 - There is great ignorance about military matters since this subject has been largely abandoned as part of school curriculum.
 - There is a high level of curiosity about military history, as evidenced by the questions asked by visitors to related museums and sites.
 - Among those who are knowledgeable about military matters, learning more details is a passion, making books on military history the best-sellers in the History sector.

- In New York City, the extremely popular and successful Intrepid Museum is dedicated to Naval affairs. The proposed museum at the Armory would address the Army experience.

Mr. Fleming went on to say that the “Lafayette Freedom Center” is an ideal name for the proposed Military Museum because of the special ties of today’s National Guard with this famous supporter of the Revolutionary War effort. When Lafayette returned to the US on July 4, 1824 for the 50th Anniversary Celebration, he was greeted by the predecessors of the 7th Regiment, who told him that they had changed their name to the “National Guard” in honor of the French soldiers who fought in the Revolutionary War, called “La Garde Nationale”. Before this time, citizen soldiers were organized into militias of a distinctly local character, while the National Guard had and has an association with the Army and a broad mission.

Mr. Fleming further described his vision for the Museum, a project that resounded so much with him that he is devoting time to it in an already full schedule of commitment, making the following points:

- The Lafayette Freedom Center at the Armory would serve as a bridge between the civilian and Army worlds. He said that West Point was very concerned about the lack of understanding and appreciation that should connect the two and would be a potential source of support for a project that would help to solve this.
- The story of the Citizen/Soldier could be told without changing the internal structure of the building thanks to modern technology and special effects that can bring past eras to life. In his words, “History could live for the children of New York City.”
- In addition to showing what it was to be a soldier, Mr. Fleming also sees the Museum as a means of educating the public on the contributions of women to various war efforts, citing the fact that in World War I, 25,000 women were involved in a variety of roles.

Assessment of our Chances of prevailing in Court

While pointing out that nothing is certain where litigation is concerned, Mr. Seymour stated that the facts of the matter indicated that the following were all solid causes of action when coupled with a positive alternative proposal for the Armory’s future use:

- The deprivation of the civil rights of all Veterans through the improper seizure of the Armory

- Imposition of a constructive trust to administer Armory Funds collected in the name of preservation that would be managed by an objective party
- The overturn of the illegal legislation passed by the State to allow it to assume control of the Armory, resulting in having the Lease to the Conservancy declared invalid
- Seeking a permanent injunction against the sale of the Armory air rights (currently controlled by the Empire State Development Corporation)

Note: Individual Veterans must bring the Suit because it is they who have been deprived of their civil rights in this matter; however, their involvement will rise above the internecine strife among some Veterans Groups that has been a major point of concern to the Community.

If our suit prospers, the future management of the Armory will depend on whether potential negotiations with the Conservancy arrive at a satisfactory arrangement under which this group could continue as conservators and administrators, perhaps with community members added to their Board to ensure compliance, or whether the outcome is not negotiated, which would entail a newly-created group of community members and restoration and museum professionals would need to take over the project.

Practicalities

- **Timing**
 - *The State Law enacted to seize the Armory was passed in August 2004. The suit to overturn it must be filed by July 2007 before the Statute of Limitations expires.*
- **Legal Services and Costs**
 - A first-class complaint must be prepared and filed quickly. Mr. Seymour and Ms. Seymour will undertake to handle this matter.
 - Once a Complaint is filed, there are always motions for dismissal and then appeals filed by the other party, which would require ongoing legal attention and action.
 - It was pointed out that, because the Seymours are not partners in a large firm, much overhead, etc. would be eliminated and costs reasonable. The estimated initial cost of this phase is \$100,000.
- **Public Relations Services and Costs**
 - Our effort requires professionals to represent us with the Press and to provide our plan with credibility through community education, which

would lead to attention from politicians. We have much to do here to counter the expert public relations efforts of the Conservancy. The estimated initial cost of this part of the Plan is \$25,000.

- **Establishment of a Steering Committee and Other Community involvement**
 - This small group of Community Members would act as decision-makers as the lawsuits and other parts of the Plan proceed. They would be the negotiators for the Community should the Conservancy come to the bargaining table.
 - A team of additional dedicated individuals is needed to “market” to neighborhood residents and others who know little or nothing about the current Armory situation or our alternative plan.
- **Funding**
 - *Before we can go any further, we must raise the funds needed for legal fees and public relations costs via contributions from both individuals and entire buildings.*
 - The Lafayette Freedom Center has been incorporated and an application for 501 (c) 3 charitable status will be filed imminently. We received our first significant contribution immediately following the presentation and now have confirmation that at least two others are on their way to us.

During the Q & A following the presentations, a number of excellent questions were raised. The answers to many of these have been incorporated above. I would be happy to go over some of the points raised and the answers given for anyone who wishes these additional details.

Susan Ferriere
Sferriere@aol.com

(212) 879-2605

EXHIBIT 14

JOURNAL
OF THE
ASSEMBLY
OF THE
STATE OF NEW YORK

AT THEIR
TWO HUNDRED TWENTY-SEVENTH SESSION

**Begun and Held at the Capitol, in the City of Albany,
on Wednesday, the Seventh Day of January, 2004**

VOLUME II



Sheldon Silver, *Speaker*
June E. Egeland, *Clerk of the Assembly*
Paul G. Strait, *First Deputy Director*
Lorna E. Reamer, *Second Deputy Director*

Assembly Journal Compiled by the Office of Journal Operations

ASSEMBLY ROLL CALLS

2053

BILL: A11797
SPONSOR: RULES (SILVER)YEAS: 148
NAVS: 0DATE: 08/11/2004
TIME: 05:55:53 PM

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V	*Acampora	V	*Cohen A	V	*Gianaris	V	*Lavelle	V	*Orloff	V	*Smith
V	*Alfano	V	*Cohen M	V	*Glick	V	*Lentol	V	*Parment	V	*Spano
V	*Arraio	V	*Colton	V	*Gordon	V	*Lifton	V	*Paulin	V	*Stephens
V	*Aubertine	V	*Conte	V	*Gottfried	V	*Lopez	V	*Peoples	V	*Straniero
V	*Aubry	V	*Cook	V	*Grannis	V	*Mages	V	*Peralta	V	*Stringer
V	*Beaulles	V	*Crouch	V	*Greene	V	*Magnaralli	V	*Perry	V	*Sweeney
V	*Berolay	V	*Cusick	V	*Grodanohik	V	*Manning	V	*Phaffer	V	*Tadisco
V	*Barra	V	*Cymbrowitz	V	*Gromack	V	*Markey	V	*Powell	V	*Thiele
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V	*Carrozza	V	*Finch	V	*Klein	V	*Oaks	V	*Sozzafava	V	*Young
V	*Casale	V	*Fitzpatrick	V	*Kolb	V	*O'Connell	V	*Seddio	V	*Mr. Speaker
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NAY	*Alfano	V	*Cohen M	V	*Glick	V	*Lentol	V	*Parment	NAY	*Spano
V	*Arraio	NAY	*Colton	V	*Gordon	V	*Lifton	V	*Paulin	NAY	*Stephens
V	*Aubertine	V	*Conte	V	*Gottfried	EOR	*Lopez	V	*Peoples	V	*Straniero
V	*Aubry	V	*Cook	V	*Grannis	V	*Mages	V	*Peralta	V	*Stringer
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NAY	*Barra	V	*Cymbrowitz	V	*Gromack	V	*Markey	V	*Powell	V	*Thiele
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V	*Benjamin	V	*Destito	NAY	*Hayes	NAY	*McDonald	V	*Pretlow	V	*Toool
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V	*Brennan	V	*Dinowitz	NAY	*Hooker	NAY	*Miller	V	*Rivers J	NAY	*Townsend
EOR	*Brotsky	V	*Eddington	V	*Hooper	NAY	*Millman	V	*Rivers PM	V	*Werner
NAY	*Brown	V	*Engelbright	V	*Hoyt	NAY	*Mills	V	*Robinson	V	*Weinstein
NAY	*Burling	NAY	*Erigo	V	*Jacobs	NAY	*Mirones	NAY	*Saladino	V	*Weisenberg
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NAY	*Casale	NAY	*Fitzpatrick	NAY	*Kolb	NAY	*O'Connell	V	*Seddio	V	*Mr. Speaker
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BILL: A11845
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MOTION BY ORTLOFF -- To appeal decision of chairYEAS: 98
NAVS: 41DATE: 09/20/2004
TIME: 06:16:53 PM

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V	*Carrozza	NAY	*Finch	NAY	*Klein	NAY	*Oaks	NAY	*Sozzafava	NAY	*Young
EOR	*Casale	V	*Fitzpatrick	NAY	*Kolb	NAY	*O'Connell	V	*Seddio	V	*Mr. Speaker
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V	*Canestrari	V	*Fields	NAY	*Kirwan	NAY	*Norman	NAY	*Schimminger	NAY	*Wright
V	*Carrozza	V	*Finch	NAY	*Klein	NAY	*Oaks	NAY	*Sozzafava	NAY	*Young
EOR	*Casale	V	*Fitzpatrick	V	*Kolb	NAY	*O'Connell	V	*Seddio	V	*Mr. Speaker
V	*Christensen	V	*Galef	V	*Koon	NAY	*O'Donnell	V	*Seminario		

BY BILL NUMBER

SENATE VOTING RECORD-2004 LEGISLATIVE SESSION

PAGE 422

A11788 Real Property Tax Law TITLE - Relates to expanding certain exemptions from taxation certain low income housing accommodations in N.Y. city as proposed in A11289/S7372										Sponsor: Rules (McLaughlin) AUG 11 2004					UNANIMOUS (FR) AYE NAY ENT USE TND REP 35 DEM 24 TOT 59				
SENATOR		A	N	SENATOR		A	N	SENATOR		A	N	SENATOR		A	N	SENATOR		A	N
Alesi	X			Flanagan	X			LaValle	X			Nozzolio	X			Skelos	X		
Andrews	X			Fuschillo	X			Leibell	X			Onorato	X			Smith A	X		
Balboni	X			Golden	X			Libous	X			Oppenheimer	X			Smith M	X		
Bonacic	X			Gonzalez	X			Little	X			Padavan	X			Spano	X		
Breslin	X			Hannon	X			Maltese	X			Parker	X			Stachowski	X		
Brown	X			Hassell-Thompson	X			Marcellino	X			Paterson	X			Stavisky	X		
Bruno	X			Hoffmann	X			Marchi	EXC			Rath	X			Trunzo	X		
Connor	X			Johnson	EXC			Maziarz	X			Robach	X			Veella	NIO		
DeFrancisco	X			Krueger	X			McGee	X			Sabini	X			Volker	X		
Diaz	X			Kruger	X			Meier	X			Saland	X			Wright	X		
Dilan	X			Kuhl	X			Mendez	X			Sampson	X						
Duane	X			Lachman	X			Montgomery	X			Schneiderman	X						
Farley	X			Larkin	X			Morahan	X			Seward	X						

A11795 Appropriations TITLE - Relates to implementing certain provisions of law which impact upon the expenditure of certain appropriations made relating to education, labor and family assistance										Sponsor: Rules AUG 11 2004					ROLL CALL (FR) AYE NAY ENT USE TND REP 35 DEM 23 TOT 58				
SENATOR		A	N	SENATOR		A	N	SENATOR		A	N	SENATOR		A	N	SENATOR		A	N
Alesi	X			Flanagan	X			LaValle	X			Nozzolio	X			Skelos	X		
Andrews	X			Fuschillo	X			Leibell	X			Onorato	X			Smith A	X		
Balboni	X			Golden	X			Libous	X			Oppenheimer	X			Smith M	X		
Bonacic	X			Gonzalez	X			Little	X			Padavan	X			Spano	X		
Breslin	X			Hannon	X			Maltese	X			Parker	X			Stachowski	X		
Brown	X			Hassell-Thompson	X			Marcellino	X			Paterson	X			Stavisky	X		
Bruno	X			Hoffmann	X			Marchi	EXC			Rath	X			Trunzo	X		
Connor	X			Johnson	EXC			Maziarz	X			Robach	X			Veella	NIO		
DeFrancisco	X			Krueger	X			McGee	X			Sabini	X			Volker	X		
Diaz	X			Kruger	X			Meier	X			Saland	X			Wright	X		
Dilan	X			Kuhl	X			Mendez	X			Sampson	X						
Duane	X			Lachman	X			Montgomery	X			Schneiderman	X						
Farley	X			Larkin	X			Morahan	X			Seward	X						

A11817 Military Law TITLE - Relates to leasing the Seventh Regiment Armory which is located in New York city to a not-for-profit corporation										Sponsor: Rules (Bing) AUG 12 2004					UNANIMOUS (FR) AYE NAY ENT USE TND REP 35 DEM 24 TOT 59				
SENATOR		A	N	SENATOR		A	N	SENATOR		A	N	SENATOR		A	N	SENATOR		A	N
Alesi	X			Flanagan	X			LaValle	X			Nozzolio	X			Skelos	X		
Andrews	X			Fuschillo	X			Leibell	X			Onorato	X			Smith A	X		
Balboni	X			Golden	X			Libous	X			Oppenheimer	X			Smith M	X		
Bonacic	X			Gonzalez	X			Little	X			Padavan	X			Spano	X		
Breslin	X			Hannon	X			Maltese	X			Parker	X			Stachowski	X		
Brown	X			Hassell-Thompson	X			Marcellino	X			Paterson	X			Stavisky	X		
Bruno	X			Hoffmann	X			Marchi	EXC			Rath	X			Trunzo	X		
Connor	X			Johnson	EXC			Maziarz	X			Robach	X			Veella	NIO		
DeFrancisco	X			Krueger	X			McGee	X			Sabini	X			Volker	X		
Diaz	X			Kruger	X			Meier	X			Saland	X			Wright	X		
Dilan	X			Kuhl	X			Mendez	X			Sampson	X						
Duane	X			Lachman	X			Montgomery	X			Schneiderman	X						
Farley	X			Larkin	X			Morahan	X			Seward	X						

A11845 Insurance Law TITLE - Relates to certain dispositions of fines and forfeitures, returning them to localities; repealer										Sponsor: Rules (Aubertine) NOV 18 2004					UNANIMOUS (FR) AYE NAY ENT USE TND REP 37 DEM 23 TOT 60				
SENATOR		A	N	SENATOR		A	N	SENATOR		A	N	SENATOR		A	N	SENATOR		A	N
Alesi	X			Flanagan	X			LaValle	X			Nozzolio	X			Skelos	X		
Andrews	X			Fuschillo	X			Leibell	X			Onorato	X			Smith A	X		
Balboni	X			Golden	X			Libous	X			Oppenheimer	EXC			Smith M	X		
Bonacic	X			Gonzalez	X			Little	X			Padavan	X			Spano	X		
Breslin	X			Hannon	X			Maltese	X			Parker	X			Stachowski	X		
Brown	X			Hassell-Thompson	X			Marcellino	X			Paterson	X			Stavisky	X		
Bruno	X			Hoffmann	X			Marchi	X			Rath	X			Trunzo	X		
Connor	X			Johnson	X			Maziarz	X			Robach	X			Veella	NIO		
DeFrancisco	X			Krueger	X			McGee	X			Sabini	X			Volker	X		
Diaz	X			Kruger	X			Meier	X			Saland	X			Wright	X		
Dilan	X			Kuhl	X			Mendez	X			Sampson	X						
Duane	X			Lachman	X			Montgomery	X			Schneiderman	X						
Farley	X			Larkin	X			Morahan	X			Seward	X						